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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

In re Application of )

ROSENBERG et al. )

Serial No. 09/037,792 ✓ )

Filed: March 10, 1998 )

For: MULTIPHASE ACTIVE INGREDIENT CONTAINING FORMULATIONS )

**BOX AF**

Art Unit: 1617

Examiner: Webman

TERMINAL DISCLAIMER

Honorable Commissioner of  
Patents and Trademarks  
Washington, D. C. 20231

Sir:

Your Petitioner, Knoll Aktiengesellschaft, a corporation of Germany, having a place of business at 67061 Ludwigshafen, Germany, is the Assignee of the entire right, title and interest in and to pending U.S. Application Serial No. 09/037,792, filed March 10, 1998, as evidenced by the assignment recorded on Reel 9031, Frame 0682, on March 10, 1998.

Your Petitioner, by the undersigned attorney of record, hereby disclaims the terminal part of any patent granted on application Serial No. 09/037,792 which would extend beyond the expiration date of any patent based on US Patent 6,001,391, which application is also owned by Petitioner, and hereby agrees that any patent based on application Serial No. 09/037,792, shall be enforceable only for and during such period that application Serial No. 09/037,792 and any patent granted issuing from US Patent 6,001,391 are commonly owned. This agreement runs with any patent granted on application Serial No. 09/037,792, and is binding upon the grantee, its successors or

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assigns.

Petitioner also states that the invention disclosed and claimed in application Serial No. 09/037,792 and the invention disclosed and claimed in US Patent 6,001,391, were commonly owned when the invention disclosed and claimed in the present application was made.

Petitioner further states that the evidentiary documents relating to the ownership of application Serial No. 09/037,792 and US Patent 6,001,391 have been reviewed and Petitioner certifies that to the best of its knowledge and belief, title is in Petitioner. The undersigned has reviewed all the documents in the chain of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

**A check to cover the fee of \$110.00 is attached.**

This Terminal Disclaimer executed on behalf of the Assignee by the undersigned attorney of record, this 3rd day of October, 2002.



Herbert B. Keil  
Reg. No. 18,967